

REMARKS

Claims 1-21 remain pending in this application, all of which stand rejected. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Rejections-35 U.S.C. §102

Claims 1-5, 7, 8, 10, 12-15, and 19-21 stand rejected under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 4,913,164 issued to Greene et al. ("Greene"). Applicant respectfully traverses this rejection, since Greene does not disclose each and every element required by these claims, as amended.

In particular, independent claim 1 has been amended to clarify that the protective element is configured to prevent the ablative element from contacting solid tissue. In contrast, the collar 14, 24 disclosed in Greene does not prevent anything that can be considered an ablative element from contacting solid tissue. Indeed, the ablative element of Greene is specifically designed to come in contact with solid tissue.

Independent claim 19 has not been amended in view of Greene, because it requires a distance to be maintained between the ablative element and solid tissue maintaining a distance between the ablative element and solid tissue using a protective element that at least partially circumscribes the ablative element. In contrast, the ablative element of Greene is disclosed as coming in contact with solid tissue, and there is no explicit or implicit disclosure that the collar 14, 24 of Greene be used to maintain a distance between the ablative element and solid tissue.

Thus, Applicant submits that independent claims 1 and 19, as well as the claims depending therefrom (claims 2-5, 7, 8, 10, 12-15, 20, and 21), are not anticipated by Greene, and as such, respectfully request withdrawal of the §102 rejections of these claims.

Claim Rejections-35 U.S.C. §103

Claims 6, 9, 11, and 16-18 stand rejected under 35 U.S.C. §103, as being obvious over various combinations of Greene, U.S. Patent No. 6,161,047 issued to King et al. (“King”), and U.S. Patent No. 6,405,067 issued to Mest et al. (“Mest”). Applicant respectfully traverses these rejections, since none of Greene, King, or Mest, disclose, teach, or suggest the combination of elements required by these claims. In particular, as previously discussed, Greene does not disclose a protective element that prevents the ablative element from contacting tissue, and King and Mest do not supplement this failed teaching.

Thus, Applicant submits that claims 6, 9, 11, and 16-18 are not obvious over the combination of Greene, King, and Mest, and as such, respectfully request withdrawal of the §103 rejections of these claims.


Conclusion

Based on the foregoing, it is believed that, with entry of this amendment, all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or

comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (714) 830-0600.

Respectfully submitted,

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By: 
Michael J. Bolan
Reg. No. 42,339

Bingham McCutchen LLP
Three Embarcadero Center, 18th Floor
San Francisco, California 94111
Customer No. 23639